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(SPACE BELOW FOR FILING STAMP ONLY)

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LAW OFFICES OF  
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Attorneys for Plaintiffs

IN THE UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA  
FRESNO DIVISION

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In re	)	NO. 17-13797
	)	
TULARE LOCAL HEALTHCARE	)	Chapter 9
DISTRICT dba TULARE	)	DCN: ASM-1
REGIONAL MEDICAL CENTER,	)	
	)	
	)	<b>DECLARATION OF RICHARD C.</b>
	)	<b>WATTERS IN SUPPORT OF MOTION</b>
Debtor.	)	<b>FOR RELIEF FROM AUTOMATIC STAY</b>
	)	<b>UNDER 11 U.S.C. §362</b>
	)	
Tax ID#: 94-6002897	)	Date: November 15, 2017
Address: 869 N. Cherry Street	)	Time: 1:30 p.m.
Tulare, CA 93274	)	Place: 2500 Tulare St.
	)	5 <sup>th</sup> Flr.
	)	Fresno, CA 93721
	)	Ctrm: 13
	)	Dept: B
	)	Judge: Rene Lastreto II

I, RICHARD C. WATTERS, declare:

1. I am an attorney at law, licensed to practice before all Courts of the State of California, and am a shareholder and President of the law firm of Miles, Sears & Eanni, attorneys of

1 record for movants/plaintiffs herein.

2 2. I have personal knowledge of the matters set forth herein  
3 I make this declaration my personal knowledge, as based on public  
4 records, or as otherwise noted herein. If called upon to testify to  
5 the facts set forth herein, I could and would competently testify  
6 thereto.

7 3. Attached hereto as **Exhibit "A"** is a true and correct copy  
8 of movants/plaintiffs' Complaint for Medical Negligence- Wrongful  
9 Death; and Emotion Distress filed on June 14, 2017 in the Superior  
10 Court of California, County of Tulare Case No. 270010.

11 4. Attached hereto as **Exhibit "B"** is a true and correct copy  
12 of defendant Tulare Regional Medical Center Responses to  
13 Plaintiffs' Form Interrogatory Set One Number 4.2 regarding  
14 insurance coverage as follows:

15 " Answer: Yes. Pursuant to Government Code Section  
16 6500 et seq., and Section 990 et seq., BETA Healthcare  
17 Group Risk Management Authority administers risk-sharing  
18 pools under a joint powers agreement. Tulare District  
19 Hospital is a Member of this risk-sharing pool with  
\$10,000,000 limit of liability. The custodian of the  
coverage is BETA HealthCare Group, 1443 Danville  
Boulevard, Alamo, California 94507, (925) 838-6070"

20 5. Attached hereto as **Exhibit "C"** is a true and correct copy  
21 of Plaintiffs Offer to Compromise Before Commencement of Trial per  
22 Cal. Code of Civil Procedure §998 seeking insurance proceeds  
23 against TULARE REGIONAL MEDICAL CENTER for the sum of Five Hundred  
24 and Fifty Four Thousand, Six Hundred and Five Dollars and Twenty-  
25 three cents (\$554,605.23).

26 6. The Action does not seek to enforce any judgment obtained  
27 against the Debtor personally or the bankruptcy estate itself.  
28 Rather, Movants seek only to recover against available policies of

1 insurance and should be able to prove the allegations set forth in  
2 the Action. In the event there is no insurance coverage available,  
3 then the Action will be dismissed.

4 I declare under penalty of perjury under the laws of the State  
5 of California that the foregoing is true and correct.

6  
7 Executed this October 11, 2017, at Fresno, California.  
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12 RICHARD C. WATTERS  
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